

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**VECINA and NATIONAL IMMIGRATION
LITIGATION ALLIANCE,**

Plaintiffs,

v.

**ADMINISTRATION FOR CHILDREN
AND FAMILIES, U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES,**

Defendant.

Case No. 1:23-cv-12632-JEK

JOINT STATUS REPORT

Pursuant to the Court's Electronic Order of March 18, 2024, Plaintiffs VECINA and National Immigration Litigation Alliance (NILA) and Defendant Administration for Children and Families, U.S. Department of Health and Human Services (HHS-ACF), hereby file this status report.

1. This action involves Plaintiffs' Freedom of Information Act (FOIA) request submitted to Defendant on August 9, 2023, requesting both a full and complete copy of the Unaccompanied Child Manual of Procedures (UC MAP) and proactive disclosure of an electronic version of the UC MAP pursuant to 5 U.S.C. § 552(a)(2). The Complaint was filed on November 1, 2023. ECF 1.

2. On December 11, 2023, Defendant produced 540 pages of responsive records to Plaintiff, consisting of all six sections of the then-current UC MAP, without any redactions.

3. On January 19, 2024, Defendant filed its answer to the Complaint. ECF 17. That

same day, the Court issued a Notice of Scheduling Conference, setting deadlines in accordance with Fed. R. Civ. P. 16(b) and Local Rule 16.1 and an Initial Scheduling Conference on February 9, 2024. ECF 18.

4. On February 2, 2024, the parties filed a joint motion to amend this Court's prior scheduling order, informing the Court that the parties were engaging in discussions regarding potential settlement of this matter and proposing that the Court order the filing of a joint status report by February 16, 2024. ECF 19.

5. On February 5, 2024, this Court issued an Electronic Order granting the parties' joint motion, vacating the scheduling order, and canceling the February 9 scheduling conference. ECF 20. The Court further ordered the parties to file a joint status report by February 16, 2024, informing the court whether a schedule for summary judgment briefing should be adopted. *Id.*

6. On February 16, 2024, the parties filed a joint status report with the Court, indicating that the parties were engaged in ongoing discussions regarding the possibility of settlement and proposing that they submit a further joint status report no later than March 15, 2024. ECF 21.

7. On February 16, 2024, this Court issued an Electronic Order noting the parties' joint status report and ordering the parties to file a further status report by March 15, 2024. ECF 22.

8. On March 15, 2024, the parties filed another joint status report with the Court, indicating that the parties were still engaged in discussions regarding the possibility of settlement and proposing that they submit a further joint status report no later than April 16, 2024. ECF 27.

9. On March 18, 2024, this Court issued an Electronic Order noting the parties' joint status report and ordering the parties to file a further status report by April 16, 2024. ECF 29.

10. Since March 18, 2024, the parties have continued their efforts to investigate the possible settlement of this matter and have made progress toward that end. On March 29, 2024, Plaintiffs' counsel transmitted a counter-proposal via email to Defendant's counsel. On April 15, 2024, Defendant's counsel informed Plaintiffs' counsel via email that Defendant is preparing a response to Plaintiffs' counter-proposal of March 29.

11. In light of the parties' ongoing efforts, the parties propose that Defendant respond to Plaintiffs' counter-proposal of March 29 no later than May 6, 2024. The parties further propose that they submit a status report no later than May 16, 2024, informing the Court as to the state of settlement discussions, as well as whether summary judgment briefing will be necessary, and, if necessary, proposing a briefing schedule.

Respectfully submitted,

PLAINTIFFS

By their counsel,

s/ Trina Realmuto

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**Admitted pro hac vice*

Dated: April 16, 2024

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

s/ Trina Realmuto

Trina Realmuto

National Immigration Litigation Alliance

Dated: April 16, 2024